

Report Date: January 4, 2023

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jan 04, 2023**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Israel Garcia

Case Number: 0980 1:15CR02068-SAB-3

Address of Offender: Currently held in U.S. Marshals Custody

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 4, 2016

Original Offense: Assault of Federal Officers, 18 U.S.C. § 111(a)(1) and (b)

Original Sentence: Prison - 84 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Stephanie A. Van Marter

Date Supervision Commenced: October 29, 2021

Defense Attorney: Amy H. Rubin

Date Supervision Expires: October 28, 2024

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/18/2022.

On August 4, 2016, Mr. Israel Garcia was sentenced by the Court relative to case number 1:15CR02068-SAB-3. As a part of sentencing, the Court imposed standard conditions prohibiting the client from committing another federal, state or local crime, as well as prohibiting him from possessing any controlled substance.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
4	<u>Standard Condition #1:</u> The defendant shall not commit another federal, state or local crime.
5	<u>Standard Condition #2:</u> The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
	<u>Supporting Evidence:</u> Mr. Israel Garcia is alleged to have violated standard conditions number 1 and 2, on or about October 16, 2022, by being charged by an indictment dated January 4, 2023, for the offense of Possession with the Intent to Distribute 400 Grams or More of Fentanyl, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi).

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Specifically, on October 16, 2022, the client is alleged to have had a firearm in his possession, which he used to fire at and strike a law enforcement officer during the course of a narcotic investigation occurring in Spokane, Washington. This conduct was previously reported to the Court in the petition dated October 18, 2022.

On December 29, 2022, a criminal complaint was filed in the Eastern District of Washington, outlining both the client's aforementioned conduct, in addition to the complainant's knowledge and belief that the client did violate 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi), Possession with the Intent to Distribute 400 Grams or More of Fentanyl.

The complaint alleges that following additional investigation into the client's conduct occurring on October 16, 2022, a search warrant was both secured and executed by the Spokane County Sheriff's Office in regard to the vehicle the client was a passenger in at the time of his alleged shooting at law enforcement. Upon execution of the search warrant, a second firearm with an extended magazine was recovered from a bag located on the front passenger floorboard, as well as approximately 15,000 pills suspected to contain fentanyl that were located in a grocery sack also located on the front passenger side floorboard.

Given the inherent risk to law enforcement in handling such substances, the pills were sealed and packaged for further laboratory testing. Based on of the inspection of the substances, the complainant indicates that the substance appears to be the same in appearance as those previously seized and tested in other investigations in which the pills have been confirmed to contain fentanyl.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 4, 2023

s/ Chris Heinen

Chris Heinen
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

1/4/2023

Date